

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DERRICK DALE FONTROY, I.	:	CIVIL ACTION
THEODORE B. SAVAGE, J.D.	:	
AARON CHRISTOPHER WHEELER	:	
JAMES S. PAVLICHKO	:	
	:	
	:	
v.	:	No. 02-CV-2949
	:	
	:	
MARK S. SCHWEIKER	:	
JEFFREY A. BEARD	:	
DONALD T. VAUGHN	:	
LESLIE HATCHER	:	
KIM ULISNY	:	

**ORDER**

AND NOW, this 22nd day of April, 2003, upon consideration of Defendants' Motion to Strike Second Amended Complaint (Docket No. 39) and the plaintiffs' response, it is **ORDERED** that the Defendants' motion is **GRANTED** and the Second Amended Complaint (Docket No. 37), filed January 13, 2003, is **STRICKEN**.<sup>1</sup>

---

TIMOTHY J. SAVAGE, J.

---

<sup>1</sup> The Second Amended Complaint is identical to the Amended Complaint (Docket No. 16). Judge O'Neill had previously stricken the Amended Complaint by Order dated September 17, 2002. (Docket No. 19). The law of the case doctrine requires this Court to follow Judge O'Neill's Order, and the Second Amended Complaint must be stricken. See, e.g., *In re City of Philadelphia Litigation*, 158 F.3d 711, 714 (3d Cir. 1998)